

Application of: Reed et al.
Serial No.: 10/632,097
Filed: 08/01/2003
Reply to Office Action of 04/10/2008

REMARKS/ARGUMENTS

Favorable consideration of this application, in view of the present amendment and following remarks, is respectfully requested.

Inquiry was made regarding the specification support for claim 35. That support can be found in the specification at, for example:

35. A method of configuring a device across a network,
comprising:

transmitting a discover request message from a workstation on the
network to a device on the network [**“Discover Request message”**
beginning on Specification page 16, line 9];

transmitting a discover reply message from the device, the discover
reply message containing at least a portion of the IP configuration of the
device [**“Discover Reply message” beginning on Specification page 16,**
line 18];

transmitting a test IP configuration request message to the device
[**“Test IP Configuration message” beginning on Specification page 18,**
line 9];

transmitting a test IP configuration reply message from the device,
the test IP configuration reply message indicating a result of the test IP
configuration request message [**“Test IP Configuration Reply message”**
beginning on Specification page 19, line 15];

transmitting a set IP configuration request message to the device
causing the device to set at least one portion of the IP configuration [**“Set**

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IP Configuration Request message” beginning on Specification page 20, line 10]; and

transmitting a set IP configuration reply message from the device, the set IP configuration reply message indicating the status of actions taken in response to receiving the set IP configuration request message [**“Set IP Configuration Reply message” beginning on Specification page 21, line 19].**

Claims 1-48 are pending. All claims stand rejected under 35 U.S.C. §102 or §103 over Salama, either alone or in combination with Thomas. Applicant respectfully traverses.

Starting with claim 1, that claim (prior to the present amendment) indicated that a workstation “locates” a managed appliance on a network and “operatively sets the IP configuration of the managed appliance across the network” (claim 1). Although it was already implied in the original claim language, claim 1 now makes explicit that (1) the workstation and the managed appliance are “different,” and (2) the workstation “pushes” the IP address to the managed appliance. As the examiner is surely aware, a pushed event is known in the computer arts to be different from a pulled one. This is especially evident in the fact that a situation in which data is pushed does not require the recipient to know the identity of the pusher; whereas a situation in which data is pulled requires the recipient to know from who the data is pulled. Salama does not push an IP address between two different devices on the network. The Office Action points to Col. 2, lines 4-8 of Salama, where Salama states in part:

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“When a DHCP client computer attempts an Internet connection, it broadcasts a DHCP request asking for any DHCP server on the network to provide it with an IP address and configuration parameters...”

The description is quite different from the present specification:

“Traditionally, an administrator would have to physically and directly connect to the device in order to configure this information. Alternatively, devices could connect to a network and pull their IP configuration from a centralized BOOTP server. With the advent of more complex devices, administrators need to be able to set (or “push”) a network device’s IP configuration from a client workstation.” [Specification page 1, lines 12-16]

Claim 1 requires that the client workstation “push” an IP address to the managed appliance, in accordance with the specification description above. Salama does not describe a push, but instead corresponds to the “traditional” approach in the above-quoted specification portion.

Thus, in claim 1, the Office Action supposes that the “managed appliance” of claim 1 corresponds to the “client” in Salama (page 3, line 1). But, if that is the case, the managed appliance (client) is not getting its IP address “pushed” to it by a workstation, as the rest of claim 1 requires. Further, the “workstation” (which would have to correspond to the “server” under the Office Action’s paradigm) does not “locate” the managed appliance (client) in Salama but instead the managed appliance locates the server (“it broadcasts a DHCP request asking for any DHCP server...” at Col. 2, lines 4-8).

The “Discover Packet” in Figure 7 and Column 7, line 66 also indicates that Salama is not a “pushed” IP address system. In particular, the “client receives the request, puts the request in DHCP format and sends a DHCP Discover packet to the

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DHCP server” (Col. 7, line 65). The server doesn’t “locate” the client with the Discover packet; the client “locates” the server. So, if the client is “locating” the server in Salama, then the client has to be the “workstation” in claim 1—but, as the Office Action acknowledges, the client in Salama corresponds to the “managed appliance” not the workstation (Office Action page 3, line 1). The client in Salama cannot be both the “workstation” for purposes of claim 1 and the “managed appliance” because claim 1 requires them to be “different.”

In other words, according to claim 1, the workstation must locate the managed appliance and push the IP address to it. If Salama’s “client” corresponds to the workstation of claim 1, then it doesn’t line up with claim 1 because it *receives* its IP address rather than *pushing* it to something else. If, on the other hand, Salama’s client corresponds to the managed appliance, then it doesn’t line up with claim 1 because it doesn’t *locate* the other device but instead is located by it. Salama is not a pushed IP address system and thus cannot properly line up with claim 1.

Independent claims 12 and 21 also require the pushed IP address lacking in Salama and thus are allowable for that same reason.

Independent claim 35 does not specifically recite a “pushed” IP address, but it does recite three pairs of communications which in combination cannot be fairly said to be included in Salama’s Discovery Packet. Thus, even if the Discovery Packet is assumed to correspond to both the claimed “discover request message from a workstation on the network to a device on the network” and the “discover reply message from the device,” it still does not describe the remaining (1) “test IP configuration request message to the device,” (2) “test IP configuration reply message from the device,” (3) “IP configuration request message to the device” or (4) “IP configuration reply message from the device.” Further, the assumption that the Discovery Packet in Salama can correspond

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to the discover request or discover reply messages of claim 1 is not even accurate. Salama's Discovery Packet is not said to "[contain] at least a portion of the IP configuration of the device [responding to the Discovery Packet]" as claim 1 requires. In other words, the "Discovery Packet" in Salama is sent "to the server" (Col. 7, line 66) and the server "responds with a DHCP Offer packet." So, if the Discovery Packet is the "discover request message" of claim 1 as the Office Action asserts, it is sent to the server which responds with an Offer Packet that *does not [contain] at least a portion of the IP configuration of the [server].*" Like claim 1, the client and server of Salama simply don't line up properly with each of the recitations of claim 35.

In view of the present amendment and remarks above, the outstanding grounds for rejection are believed to have been overcome and an early and favorable action to that effect is respectfully requested.

CHARGE STATEMENT: Deposit Account No. 501860, order no. 2540-0590.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/ Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

CUSTOMER NUMBER

42624

Respectfully submitted,

By:



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